

FILED 24 AUG '20 12:03 USDC-ORP

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

COMPLETE BUSINESS SOLUTIONS
GROUP, INC. d/b/a/ PAR FUNDING;
FULL SPECTRUM PROCESSING, INC.;
ABETTERFINANCIALPLAN.COM LLC
d/b/a/ A BETTER FINANCIAL PLAN;
ABFP MANAGEMENT COMPANY, LLC
f/k/a/ PILLAR LIFE SETTLEMENT
MANAGEMENT COMPANY, LLC;
ABFP INCOME FUND, LLC; ABFP
INCOME FUND 2, L.P.; UNITED FIDELIS
GROUP CORP.; FIDELIS FINANCIAL
PLANNING LLC; RETIREMENT
EVOLUTION GROUP, LLC;
RETIREMENT EVOLUTION INCOME
FUND, LLC f/k/a RE INCOME FUND,
LLC; RE INCOME FUND 2, LLC;
LISA MCELHONE; JOSEPH COLE
BARLETA a/k/a/ JOE COLE; JOSEPH W.
LAFORTE a/k/a JOE MACK a/k/a/ JOE
MACKI a/k/a JOE MCELHONE; PERRY
S. ABBONIZIO; DEAN J. VAGNOZZI;

MISC CASE NO. 20-MC-867

NOTICE OF ORDER APPOINTING
RECEIVER

NOTICE OF ORDER APPOINTING RECEIVER - 1

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1 **MICHAEL C. FURMAN; and JOHN**
2 **GISSAS,**

3 Defendants, and

4 **THE L.M.E. 2017 FAMILY TRUST, a/k/a**
5 **LME 2017 FAMILY TRUST,**

6 Relief Defendant.

7 **NOTICE OF ORDER APPOINTING RECEIVER**
8 **PURSUANT TO 28 U.S.C. § 754**
9 United States District Court
Southern District of Florida

10 Case No. 20-CIV-81205-RAR

11 Receiver Ryan K. Stumphauzer hereby provides notice, pursuant to 28 U.S.C. § 754, of
12 his appointment by the United States District Court for the Southern District of Florida in Case
13 No. 20-CIV-81205-RAR (S.D. Fl.).

14
15 On July 24, 2020, the Securities Exchange Commission ("SEC") filed a Complaint for
16 Injunctive and Other Relief against the above-named Defendants and Relief Defendant in the
17 United States District Court for the Southern District of Florida. (ECF No. 1, the "Complaint").
18 In connection with its Complaint, the SEC filed a separate Motion for Appointment of Mr.
19 Stumphauzer as Receiver over the Corporate Defendants in this case: Complete Business Solutions
20 Group, Inc. d/b/a Par Funding ("Par Funding"), Full Spectrum Processing, Inc.,
21 ABetterFinancialPlan.com LLC d/b/a A Better Financial Plan ("ABFP"), ABFP Management
22 Company, LLC f/k/a Pillar Life Settlement Management Company, LLC ("ABFP Management"),
23 ABFP Income Fund, LLC, ABFP Income Fund 2, L.P., United Fidelis Group Corp., Fidelis
24 Financial Planning LLC, Retirement Evolution Group, LLC, RE Income Fund LLC, and RE
25 Income Fund 2 LLC (collectively, the "Receivership Entities"). (ECF No. 4, the "Motion").
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1 On July 27, 2020, the District Court granted the Motion and appointed Mr. Stumphauzer
 2 as Receiver over the Receivership Entities, their subsidiaries, successors, and assigns. (ECF No.
 3 36, the "Receivership Order".) The Receivership Order stated that, upon the Court's granting of
 4 an Ex Parte Motion for a Temporary Restraining Order, the Receiver would be empowered "to
 5 administer and manage the Receivership Entities' business affairs, funds, assets, causes of action,
 6 and any other property; marshal and safeguard all of the assets of the Receivership Entities; and
 7 take whatever actions are necessary for the protection of the investors." (ECF No. 36 at 2-4.)

9 On July 28, 2020, the Court granted the SEC's Emergency *Ex Parte* Motion for Temporary
 10 Restraining Order and Other Relief (ECF No. 42, the "TRO"), which fully empowered Mr.
 11 Stumphauzer to take all actions as directed by the Court in the Receivership Order.

12 The Court subsequently entered a first "Order Granting Plaintiff's Urgent Motion to
 13 Amend Order Appointing Receiver to Include Litigation Injunction" on July 31, 2020 (ECF No.
 14 56, the "Amended Order"). The Amended Order amended the original Receivership Order "to
 15 include a litigation injunction in all cases and proceedings" involving the Receivership Entities.
 16

17 The SEC thereafter filed an Amended Complaint on August 11, 2020, which corrected a
 18 scrivener's error in the name of the Relief Defendant and identified the Trustees of the Relief
 19 Defendant (Defendants Lisa McElhone and Joseph La Forte). (ECF No. 119, the "Amended
 20 Complaint"). Attached hereto as Exhibit A is a copy of the Amended Complaint.
 21

22 The SEC has continued its investigation and identified additional entities related to the
 23 Defendants. On August 7, 2020, the SEC filed an "Expedited Motion to Amend Receivership
 24 Order" (ECF No. 105), which sought to expand the Receiver's appointment over the related
 25 entities. On August 13, 2020, the Court granted the Amended Order Appointing Receiver (ECF
 26 141, the "Amended Order Appointing Receiver"). The Amended Order Appointing Receiver

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1 includes the following related entities subject to the Receiver: ABFP Income Fund 3, LLC; ABFP
2 Income Fund 4, LLC; ABFP Income Fund 6, LLC; ABFP Income Fund Parallel LLC; ABFP
3 Income Fund 2 Parallel; ABFP Income Fund 3 Parallel; ABFP Income Fund 4 Parallel; and ABFP
4 Income Fund 6 Parallel (collectively, the “related entities,” and together with the Defendants the
5 “Receivership entities”).
6

7 The Amended Order Appointing Receiver further outlines the general powers and duties
8 of the Receiver; requires that the Receivership Entities provide certain information to the Receiver
9 relating to those entities; authorizes the Receiver to take immediate possession of all assets, bank
10 accounts, and books and records relating to the Receivership Entities; authorizes the Receiver to
11 gain access to all real and personal property of the Receivership Entities; requires the Receiver to
12 give notice to certain third parties of his appointment; enters an injunction against the Receivership
13 Entities and other persons from interfering with the Receiver; enters a stay of all litigation relating
14 to the Receivership entities, including all ancillary proceedings; permits the Receiver to manage
15 assets of the Receivership Entities; allows the Receiver to investigate and prosecute relevant claims
16 relating to the Receivership Entities; permits the Receiver to seek authorization for bankruptcy
17 filings; and requires the Receiver to file periodic reports and fee applications. Attached hereto as
18 Exhibit B is a copy of the Amended Order Appointing Receiver.
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1 Respectfully submitted this 19th day of August, 2020.

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3 CAIRNCROSS & HEMPELMANN, P.S.

4
5 By: 

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Court-Appointed Receiver

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